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a Division of Wyeth, Walter Wardrop, and
Michael McDermott

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (WCC) (LMS)

**DEFENDANTS'
EXHIBIT LIST**

PLEASE TAKE NOTICE that Defendants Wyeth Pharmaceuticals, a Division of Wyeth, Michael McDermott, and Walter Wardrop ("Defendants") hereby designate the following documents that may be used as exhibits at trial. Defendants expressly reserve the right to use any, all or none of the following exhibits. Defendants also expressly reserve the right to use exhibits designated or used by Plaintiff and any additional documents for the purpose of rebuttal. This Exhibit List is intended to supersede Defendants' list of trial exhibits set forth in the Joint Pretrial Order that was filed by the parties in this action on July 30, 2007.

DEFENDANTS' TRIAL EXHIBITS

Documents produced by Wyeth are numbered with a "D," an "EEOC," or a "DOC" prefix.

Documents produced by Plaintiff are numbered with a "P" prefix.

EXHIBIT #	DESCRIPTION
DX 1	12/02/1992, H. Henry's Wyeth Employment Application: D-00038-00040
DX 2	Henry Resume, 2000-Present: P-4026-4028
DX 3	Henry Resume, 2000-2006: P-3320-3322
DX 4	04/04/2006, Henry's Employee Profile: D-00109-00111
DX 5	Henry's Handwritten Notes: P-4600-4671
DX 6	8/93-11/93, Henry's Performance Planning and Review Form: D-00112-00115
DX 7	11/93-11/94, Henry's Performance Planning and Review Form: P-4345-4349
DX 8	12/94-8/95, Henry's Performance Planning and Review Form: P-4316-4319:
DX 9	9/95-9/96, Henry's Performance Planning and Appraisal: P-4336-4339
DX 10	9/95-9/96, Henry's Project Team Member Performance Review: D-00134-00135
DX 11	9/96-9/97, Henry's Performance Planning and Appraisal: P-4324-4327
DX 12	10/97-9/98, Henry's Performance Planning and Appraisal: P-4320-4323
DX 13	10/98-9/99, Henry's Performance Planning and Appraisal: D-00144-00147
DX 14	1/00-12/00, Henry's Performance Planning and Appraisal: P-4330-4334
DX 15	1/01-12/01, Henry's Performance Planning and Appraisal: P-4020-4025
DX 16	1/02-12/02, Henry's Performance Appraisal: P-4015-4019
DX 17	09/03/2003, Henry's Mid-Year Review 2003 - unsigned: D-00176-00177

EXHIBIT #	DESCRIPTION
DX 18	09/03/2003, Henry's Mid-Year Review 2003 - signed.
DX 19	01/2003-12/2003, Henry's Performance Appraisal - Original: EEOC 0051-0054
DX 20	1/2003-12/2003, Henry's Performance Appraisal: P-4010-4014
DX 21	2004, Henry's 2004 Quarterly Review - 1st Quarter: P- 1496-1497
DX 22	07/09/2004, Henry's 2004 Quarterly Review - Mid-Year Review: P-1494-1495
DX 23	1/04-12/04, Henry's Performance Appraisal: D-00170-00173
DX 24	05/31/2005, Henry's 2005 Performance Feedback: P-108-111
DX 25	06/24/2005, Henry's Guide for Performance Improvement, unsigned: P-3720-3723
DX 26	06/24/2005, Henry's Guide for Performance Improvement, signed: D-00090-00093
DX 27	8/16/2000 R&D Strategic Staffing: D-00554-00555
DX 28	12/12/2001 R&D Strategic Staffing: D-000826-000827
DX 29	Job Description: D-000862
DX 30	05/23/2002, R&D Strategic Staffing: D-00560-00561
DX 31	Job Description: D-00524-00527
DX 32	11/11/2003, R&D Strategic Staffing: D-00543-00544
DX 33	01/2004, Job Description: D-00528-00532
DX 34	01/21/2004, R&D Strategic Staffing: D-00538-00539
DX 35	Job Description: D-00569
DX 36	02/17/2004 Job Description: P-1539-1543
DX 37	09/16/20004, R&D Strategic Staffing: D-00563-00564
DX 38	Job Description: D-00562
DX 39	09/30/2004, Confirmation: P-1530, P-1527, P-1529
DX 40	12/02/1992, Henry's Wyeth Employment Application: D-00038-00040
DX 41	07/23/1993, Wyeth's Offer Letter to Henry: D-00041
DX 42	06/30/1997, Email from K. McCoy to M. Kolb: D-00376
DX 43	07/17/1997, Promotion of Howard Henry, D-00392, 00386

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DX 44	Scientist II - Job Description, D-00381-00382
DX 45	08/09/2000, Letter from J. Rose to H. Henry: D-00065
DX 46	6/10/2002, Email from J. Barao to A. Schaschl: D-00396
DX 47	06/24/2002, Email chain from H. Henry, W. Wardrop: D-000839-000840
DX 48	06/27/2002, Email from A. Schaschl to B. Bracco et al: D-00397
DX 49	10/30/2002, Email from W. Wardrop to J. Barao et al: P 1197-1198
DX 50	2003, Henry's Train 1 2003 Performance Objectives: D-1955-1962
DX 51	01/23/2003, Email chain between Wardrop and Henry: P-1969
DX 52	02/24/2003, Email from S. Yosen to H. Henry: P 1900
DX 53	03/17/2003, Email from W. Wardrop to H. Henry: P-1954-1932
DX 54	07/01/2003, Email from K. Testaverde to H. Henry: D-000858
DX 55	07/01/2003, Email from Wardrop to Nery and Testaverde: P-1939
DX 56	08/23/2003, Email from W. Wardrop to M. Davenport, H. Henry et al: P-1929
DX 57	08/27/2003, Email from W. Wardrop to J. Rose: D-000857
DX 58	09/02/2003, Email chain between J. Rose and W. Wardrop: D-000828-000829
DX 59	09/02/2003, Email chain between J. Rose and W. Wardrop: D-000855-000856
DX 60	09/03/2003, Email from W. Wardrop to J. Rose: D-000830-000832
DX 61	09/08/2003, Email from W. Wardrop to Train 1 Staff: D-00264
DX 62	09/18/2003, Email from Wardrop to Howard: D-00263, D-000834-000838
DX 63	09/30/2003, Email from B. Bracco: D-000843
DX 64	10/02/2003, Email from Wardrop to Train 1 Staff: P-1923
DX 65	10/07/2003, Email from W. Wardrop to A. Schaschl: D-000854
DX 66	10/14/2003, Email from A. Schaschl to W. Wardrop: D-000852-000853
DX 67	10/22/2003, Email from W. Wardrop to F. Moatter: D-000850

EXHIBIT #	DESCRIPTION
DX 68	10/27/2003, Email from W. Wardrop to H. Henry: D-000849
DX 69	11/12/2003, Email from W. Wardrop to H. Henry: D-00269-00270
DX 70	11/13/2003, Email exchange between Wardrop and Testaverde: D-00272
DX 71	11/21/2003, Email from H. Henry to W. Wardrop: D-00271
DX 72	12/07/2003, Email from W. Wardrop to A. Schaschl: D-000841-000842
DX 73	12/18/2003, Email from H. Mackey to B. Babcock et al: P-1300
DX 74	01/03/2004, Memo from Espejo to Consumer Healthcare Manufacturing Employees: D-00493
DX 75	H. Henry's 2003 Self Appraisal Form: D-00159-00164
DX 76	01/05/2004, Memo from Henry to Wardrop: D-00273-00295
DX 77	01/08/2004, Email from J. Barao to H. Henry: P-1460
DX 78	01/9/2004, Memo from Schaschl to File: D-000588-000590
DX 79	01/12/2004, Notes of Joanne Rose : D 000604-000605:
DX 80	01/13/2004, Email from Joanne Rose to H. Henry: D-000591
DX 81	01/15/2004, Email from Rose to Henry and Wardrop: P-1455
DX 82	01/15/2004, Memo from Wardrop to Rose: D- 000592-000597
DX 83	01/16/2004, Email from W. Wardrop to J. Rose: D-000844-000848
DX 84	Email from W. Wardrop to J. Rose: D-000600-000602, P 4330-4334, P-4020-4025, P-4015-4019, EEOC-0051-0054, D-000597
DX 85	01/16/2004, Notes of Joanne Rose: D-000603-605
DX 86	01/21/2004, Email form H. Henry to M. McDermott: P-1452
DX 87	01/22/2004, Email from Hudak to Howard & Ruth: P-1535-1536
DX 88	01/27/2004, Email from H. Henry to P. Bigelow: P-1450
DX 89	01/27/04: Email exchange between Henry and Peter Bigelow: P-1448
DX 90	01/27/2004, Email from Peter Bigelow to Howard Henry: D-000607-000608
DX 91	01/27/ 2004, Summary of Henry's 2003 Progress Review: D-000609-000610

EXHIBIT #	DESCRIPTION
DX 92	01/30/04, 02/2/04, Email exchange between Henry and Burt: P-1511, 1447
DX 93	02/11/2004, Email from P. Hopkins to P. Bigelow, H. Henry: P-3952
DX 94	02/13/2004, Email from Bigelow: D-000611
DX 95	02/16/04 Email from Henry to Bigelow: P-1438
DX 96	02/16/2004, Email from Howard Henry to Peter Bigelow: D-000612
DX 97	02/25/04, Email from Bigelow to Henry: P-1432
DX 98	03/05/2004, Email from A. Espejo to J. Gibson, J. Rial: P-3449
DX 99	03/12/2004, Email from H. Henry to A. Espejo: P-1387
DX 100	03/16/04, Espejo to File: D-00296-00297
DX 101	03/23/2004, Interview Schedule: P-1533
DX 102	03/30/2004, Email from P. Verhasselt to H. Henry: P-3866
DX 103	03/31/2004, Email from D. Grantland to A. Fox, E. Sackett: D-000651
DX 104	04/06/2004, Notes: D-000658-000676
DX 105	04/06/2004, Calendar: D-000677-000680
DX 106	04/7/2004, Summary of Findings - Howard Henry: D-000682-D-000684
DX 107	04/07/2004, Email from Wardrop to Sackett: D- 000617
DX 108	04/15/2004, Email from E. Sackett to H. Henry, P. Bigelow, D. Grantland: P-1417
DX 109	04/15/2004, Email from Eugene Sackett to Howard Henry: D-000618
DX 110	04/26/2004, Email from Henry to Bigelow: P-1407
DX 111	04/26/2004, Email from Bigelow to D. Grantland and E. Sackett: D-000681, P-1407
DX 112	04/29/2004, Email from Donna Grantland to Peter Bigelow and Eugene Sackett: D-000620
DX 113	Email from R. Ruth to H. Henry: P 1534
DX 114	05/06/2004, Email from Vitanza: D-000615-000616
DX 115	05/06/2004, Email from Grantland to Henry: P-3996

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DX 116	05/14/2004, Email from H. Henry to R. Hirsch, V. Rappa, E. White : P-3439-3440
DX 117	05/14/2004, email from L. Williams to B. Spear: P-1405
DX 118	05/17/2004 Letter from Sapir & Frumkin to P. Bigelow: D-000630-000631; 06/08/2004, Letter from M. Nagy to Sapir & Frumkin.
DX 119	06/30/2004, Email from Rose to Frazelle: D-00298
DX 120	07/08/2004, Employment Action Notice: D-00070-00071
DX 121	10/01/2003, 11/03/2003, 11/30/2004, Email exchange between Henry, HRJOBSPEARLRIVER, and Verhasselt: P-1524, 1526, 1531
DX 122	10/28/2004, Email exchange between Rose and Verhasselt: D-00417
DX 123	11/1/2004, Email from J. Rose to Burt, Defeciani, Espejo, Muscolo, Verhasselt, Bradford, Costello and Wardrop: D-00434-464
DX 124	11/01/2004, Email to Espejo: D-000814-000816
DX 125	11/01/2004, Email from A. Espejo to J. Rose: D-00433
DX 126	11/08/2004, Email from A. Espejo to D. Burt, C. Defeciani, C. Muscolo: D-00418-00423
DX 127	11/09/2004, Email to from C. Defeciani to C. Muscolo, A. Espejo: D-00474-00479
DX 128	11/09/2004, Email from D. Burt to A. Espejo: D-00468-00473
DX 129	11/10/2004, Email from C. Muscolo to A. Espejo: D- 000808-000813
DX 130	11/30/2004, Email from P. Verhasselt to H. Henry: P-1524
DX 131	12/14/2004, Email from A. Espejo to J. Rose, P. Verhasslet: D-00486-00491
DX 132	01/03/2005, Email from A. Espejo to R. Bartolucci et al: P-1522-1523
DX 133	01/03/2005, Email from A. Espejo to A. Abatangleo et al: D-00492-00494
DX 134	01/17/2005, Email from M. Katz to H. Henry: D-00300
DX 135	01/17/2005, Email from M. Katz to H. Henry: D-00301-00305
DX 136	01/20/2005, Email from M. Katz to H. Henry: D-00306-00307

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DX 137	01/25/2005, Email exchange between Katz and Henry: D-00313
DX 138	01/25/2005, Email exchange between Henry and Katz: D-00308
DX 139	01/27/2005, Email exchange between Katz and Henry: D-00316
DX 140	02/2005, Continuous Tablet Coater (CTC) Single Pass Project Summary: P-379-380
DX 141	02/03/2005, Email exchange between Katz, Henry, and Espejo: D-00326
DX 142	2/3/2005, Email exchange between Katz, Henry, and Espejo: P-1072; 02/03/2005 and 02/16/2005, P-74; 02/16/2005, P-1144
DX 143	02/3/2005, Email from Katz to Henry: D-00319
DX 144	02/08/2005, Email exchange between Henry and Katz: D-00322
DX 145	02/09/2005, Email exchange between Espejo and Henry: D-00323
DX 146	02/08/2005, 02/09/2005, Email exchange between Katz and Henry: D-00327
DX 147	02/09/2005, Email from Katz to Henry: D-00329
DX 148	02/14/2004-02/15/2005, Email exchange between Driscoll, Henry, and Katz: D-00324-00327
DX 149	02/16/2005, Email from G. Livermore to A. Espejo, M. Katz et al: P-74
DX 150	02/16/2005, Email from Katz to Henry: D-00330-00332
DX 151	02/22/2005, Email from H. Henry to C. Bromley et al: D-00340-00341
DX 152	02/24/2005, Email exchange between Henry and Espejo: D-00309
DX 153	03/08/2005, Email from M. Katz to H. Henry: D-00347-00348
DX 154	03/09/2005, Job Description Template for H. Henry: D-00502-00506
DX 155	02/18/2005, 03/15/2005-03/16/2005, Email exchange between Espejo and Henry: P-514-515
DX 156	03/29/2005, Email from J. Rial to A. Espejo: D-000869
DX 157	03/29/2005, Email from Andrew Espejo to Max Katz, J. Rose: D-000351

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DX 158	03/30/2005. Email from Max Katz to Andrew Espejo: D-000352
DX 159	04/05/2005, HH Chronology: D-00752-000788, D-00338-00339, P-514-515
DX 160	04/07/2005, Email from A. Espejo: D-000750-000788, D-00338-00339, P-514-515
DX 161	05/13/2005, Email from H. Henry to M. Katz: P-90
DX 162	05/18/2005, Email from H. Henry to A. Espejo: P-1685
DX 163	05/18/2005, Notes: D-000644-000650
DX 164	05/19/2005, Email from Katz to Henry: P-1050
DX 165	05/19/2005, Email from Ruffner to Marroso: D-00402A
DX 166	05/27/2005, Email from M. Katz to H. Henry: D-00359-00362
DX 167	05/31/2005, Email from H. Henry to M. Katz: P-208-212
DX 168	05/31/2005, Email from M. Katz to A. Espejo, S. Marroso: D-00367-00371
DX 169	06/02/2005, Email from J. Colas to H. Henry: P-163-168
DX 170	06/15/2005, Email from M. Katz to H. Henry: P-1481
DX 171	06/24/2005, Meeting Notes: D-000635
DX 172	06/28/2005, Email from H. Henry to M. Katz, S. Marroso: D-000636
DX 173	06/29/2005, Email from A. Espejo to H. Henry: P-295
DX 174	06/29/2005, Email from M. Katz to H. Henry, T. Rock, S. Venkatesan: P-296-297
DX 175	07/01/2005 Memo from Henry to Katz re Response to PIP: P-3724-3726
DX 176	07/06/2005, Email from M. Katz to H. Henry, S. Marroso: P-39
DX 177	07/06/2005 Meeting Notes o: D- 000641-000642
DX 178	07/14/2005, Email from M. Katz to H. Henry, S. Marroso: P-38
DX 179	07/15/2005, Email from M. Katz to H. Henry, S. Marroso: P-35
DX 180	07/25/2005 Meeting Notes: D-000637-000639
DX 181	07/25/2005, Email from M. Katz to H. Henry, S. Marroso: P-32
DX 182	07/28/2005, Memo from Katz to Henry: P-3727
DX 183	08/01/2005, Email exchange between Henry, Katz, and Marroso: D-000643

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DX 184	10/11/2005, Letter from M. Allen to H. Henry: D-00570
DX 185	01/10/2006, Letter from Culler to Henry: D-00571-00572
DX 186	01/15/06, Hours: D-00581
DX 187	02/07/2006, Personnel/Position Action Request: D-00107
DX 188	02/09/2006, Letter from H. Henry to M. Allen: D-00578
DX 189	02/14/2006, Letter from M. Allen to H. Henry: D-00579
DX 190	6/29/2001, Acknowledgement of Unlawful Harassment Policy (signed 11/20/2001 by H. Henry) : D-00067
DX 191	11/2002, Unlawful Harassment and Discrimination: D-00034-00037
DX 192	04/04/2006, Unlawful Harassment and Discrimination: D-00003-00004
DX 193	Equal Employment Opportunity: P-2225-2230
DX 194	11/2002, Equal Employment Opportunity: P-2318-2319, 2312-2313
DX 195	04/04/2006, Equal Employment Opportunity: D-00005
DX 196	07/01/2002, Promotion and Transfer of Employees: D-00001-00002
DX 197	11/2003, Posting of Job Opportunities: D-00027-00033
DX 198	04/04/2006, Posting of Job Opportunities: D-00010-00012
DX 199	04/04/2006, Performance Management: D-00009
DX 200	04/04/2006, Disciplinary Actions: D-00006
DX 201	11/2002, Conduct in the Workplace: P-2321-2325
DX 202	11/2002, Code of Conduct: P-2326-2327
DX 203	04/04/2006, Conduct in the Workplace: D-00007-00008
DX 204	06/17/1996, Acknowledgement of Code of Conduct (signed by H. Henry): D-00059
DX 205	09/10/2001, Acknowledgement of Wyeth's Rules of Conduct policy (signed by H. Henry): D-00066
DX 206	07/02/2004, Acknowledgement of Code of Conduct (signed by H. Henry): D-00078
DX 207	04/04/2006, Time Off and Leaves of Absence: D-00013-00015, 00017, 00025-00026

EXHIBIT #	DESCRIPTION
DX 208	12/31/03 Chart, D-000859
DX 209	12/31/04 Chart, D-000860
DX 210	12/31/05 Chart, D-000861
DX 211	08/05/2005, Request for Consideration for Extended Disability Benefits: D-00580
DX 212	8/16/2005, MetLife denial of Henry's Disability Claim: D-00582-00583
DX 213	08/16/2005, Certification of Henry's Health Care Provider: DOC-0066-0068
DX 214	08/31/2005, Revised Certification of Henry's Health Care Provider: P-4532-4534
DX 215	08/26/2005, Employee's Workers' Comp Claim for Compensation: P-4531, 4539
DX 216	09/28/2005, Workers' Comp Case Information: P-4528
DX 217	12/27/2005, Worker's Comp Notice of Decision (no action without medical documentation): D-00577
DX 218	01/18/2006, Letter from M. Allen to H. Henry: D-00573
DX 219	02/03/2006, Letter from H. Henry to M. Allen: D-00574
DX 220	02/07/2006, Memo from M. Allen to H. Henry: D-00575
DX 221	02/07/2006, Letter from M. Allen to H. Henry: D-00576
DX 222	03/07/2006, Worker's Comp Notice of Decision: P-4529
DX 223	03/10/2007, Practitioner's Report of Independent Medical Examination: P-SUP 14-19
DX 224	Wyeth Medical File, D-000870-000917
DX 225	Medical file from Dr. Levy, Psychologist, DOC-0022-0033
DX 226	Medical file from Dr. Henson, MD, DOC-0034-0072, P-4532-4534
DX 227	Medical file from Dr. Hickman, M.S.W., L.C.S.W., DOC-0001-00021, DOC-0059-0060
DX 228	Henry Income Tax Return 2000, P-4536-4540
DX 229	Henry Income Tax Return 2001, P-4541-4547
DX 230	Henry Income Tax Return 2002, P-4548-4554
DX 231	Henry Income Tax Return 2003, P-4555-4562

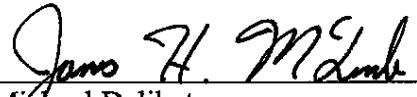
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DX 232	Henry Income Tax Return 2004, P-4563-4572
DX 233	Henry Income Tax Return 2005, P-4573-4587
DX 234	Henry Income Tax Return 2006
DX 235	Henry Job Search: P-4599-4588, P-Sup-51-20
DX 236	Beelin Cheang's Resume: D-000685
DX 237	Jean Colas' 2003 Annual Performance Appraisal: D-000803-000807
DX 238	Jean Colas' 2004 Annual Performance Appraisal: D-000796-000802
DX 239	Jean Colas' 2005 Annual Performance Appraisal: D-000789-000795
DX 240	Christopher Defeciani's Resume: D-000817-000818
DX 241	Christopher Defeciani's 2000 Performance Planning and Appraisal: D-000728-000732
DX 242	Christopher Defeciani's 2001 Performance Planning and Appraisal: D-000722-727
DX 243	Christopher Defeciani's 2002 Performance Planning and Appraisal: D-000717-000721
DX 244	Max Katz' Resume: D-000686
DX 245	Max Katz' 2003 Performance Appraisal: D-000692-000695
DX 246	Max Katz' 2004 Performance Appraisal: D-000687-000691
DX 247	Angel Montanez' Resume: D-000819-000820
DX 248	Richard Morgan's 2001 Performance Planning and Appraisal: D-000863-000868
DX 249	Richard Morgan's 2002 Performance Appraisal: D-000744-000749
DX 250	Richard Morgan's 2003 Performance Appraisal: D-000738-000743
DX 251	Richard Morgan's 2004 Performance Appraisal: D-000733-000737
DX 252	Cara Muscolo's Resume: D-000696-000697
DX 253	Cara Muscolo's 1999 Performance Planning and Appraisal: D-000703-000706
DX 254	Cara Muscolo's 2000 Performance Planning and Appraisal: D-

EXHIBIT #	DESCRIPTION
	000698-000702
DX 255	James Patch's Resume: D-000708-000713
DX 256	12/01/2004, James Patch's Offer Request Form: D-000707
DX 257	12/03/2004, James Patch's Offer Letter: D-000714-000715
DX 258	12/29/2004, James Patch's Ph.D. certificate: D-000716
DX 259	09/20/2005, Complaint 05 STGT
DX 260	EEOC Discrimination Charge, D-00212, D-00214-00221
DX 261	06/21/2005, EEOC Dismissal and Notice of Rights
DX 262	10/27/2005, EEOC Retaliation Charge, D-00222-00225

Dated: New York, New York
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Respectfully submitted,

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